

1-21-1970

Abortion

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OFFICE OF THE
Secretary of State
STATE OF CALIFORNIA
SACRAMENTO 95814

January 21, 1970

TO THE COUNTY CLERKS AND REGISTRARS OF VOTERS:

Pursuant to Section 3507, Elections Code, there is transmitted herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative entitled:

ABORTION. INITIATIVE.

<u>Circulating and Filing Schedule</u> - (Min. signatures required: 325,173)	<u>1970</u>
Official Summary Date	1/16
Deadline to circulate and file sections of Original Petition	4/16
First date to circulate sections of Supplemental Petition	4/17
(If initial filing made on 4/16. Otherwise, first date is day following initial filing.)	
Deadline to transmit your certificate as to number of valid signatures on Original Petition	5/6
(If initial filing made on 4/16. Otherwise, 20th day after filing.)	
Deadline to file sections of Supplemental Petition	6/15
(If initial certification dated 5/6. Otherwise, 40th day after your certification date.)	
Deadline to transmit your certificate as to number of valid signatures on Supplemental Petition	6/25
(If supplemental filing made on 6/15. Otherwise, 10th day after supplemental filing.)	

The proponents of the above-named measure are: Cheriell Moench Jensen, 3379 Benton, Santa Clara, California; Sally Yoakum, 3325 Benton, Santa Clara, California.

Frank M. Jordan
SECRETARY OF STATE

HPS:pv
Enc.

THOMAS C. LYNCH
ATTORNEY GENERAL

STATE OF CALIFORNIA



CHARLES A. O'BRIEN
CHIEF DEPUTY ATTORNEY GENERAL
T. A. WESTPHAL, JR.
CHIEF ASSISTANT ATTORNEY GENERAL
DIVISION OF CIVIL LAW
ARLO E. SMITH
CHIEF ASSISTANT ATTORNEY GENERAL
DIVISION OF CRIMINAL LAW

OFFICE OF THE ATTORNEY GENERAL

Department of Justice

ROOM 500, WELLS FARGO BANK BUILDING
FIFTH STREET AND CAPITOL MALL, SACRAMENTO 95814

January 20, 1970

Honorable Frank M. Jordan
Secretary of State
State Capitol
Sacramento, California

FILED
In the office of the Secretary of State
of the State of California

JAN 21 1970

FRANK M. JORDAN, Secretary of State
By *[Signature]*
Assistant Secretary of State

Dear Sir:

Re: Abortion. Initiative.

Pursuant to the provisions of Section 3507 of the Elections Code, you are hereby informed that on January 16, 1970, we mailed to Cheriell Moench Jensen, 3379 Benton, Santa Clara, California, and Sally Yoakum, 3325 Benton, Santa Clara, California, as proponents, the following title and summary:

ABORTION. INITIATIVE. Authorizes physician and surgeon to perform abortion whenever requested by a pregnant woman without restriction by any individual or institution. Repeals existing sections 274, 275 and 276 of Penal Code which make the performance of, submitting to, or soliciting for an abortion a crime by anyone, except as provided in the Therapeutic Abortion Act.

Enclosed herewith is a declaration of mailing thereof.

Very truly yours,

THOMAS C. LYNCH
Attorney General

Charles A. Barrett
CHARLES A. BARRETT
Assistant Attorney General

CAB:JD
Enc.

THOMAS C. LYNCH
ATTORNEY GENERAL

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Department of Justice

ROOM 500, WELLS FARGO BANK BUILDING
FIFTH STREET AND CAPITOL MALL, SACRAMENTO 95814

January 16, 1970

Cheriel Moench Jensen Sally Yoakum
3379 Benton 3325 Benton
Santa Clara, California Santa Clara, California

Dear Ladies:

Re: Abortion. Initiative.

Pursuant to your request, we have prepared and submit to you, as the proponents, the following title and summary of the chief purposes and points for your proposed initiative measure:

ABORTION. INITIATIVE. Authorizes physician and surgeon to perform abortion whenever requested by a pregnant woman without restriction by any individual or institution. Repeals existing sections 274, 275 and 276 of Penal Code which make the performance of, submitting to, or soliciting for an abortion a crime by anyone, except as provided in the Therapeutic Abortion Act.

Please send us at least three copies of the petition after you have it printed.

Very truly yours,

THOMAS C. LYNCH
Attorney General

Charles A. Barrett
CHARLES A. BARRETT
Assistant Attorney General

CAB:JD

DECLARATION OF MAILING

Re: ABORTION. INITIATIVE.

I, JUNE DAVIS, declare as follows:

I am a citizen of the United States, over the age of 18 years, and not a party to the within action; I reside in the County of Sacramento, State of California; my business address and place of employment is Wells Fargo Bank Building, Fifth Street and Capitol Mall, Sacramento, California.

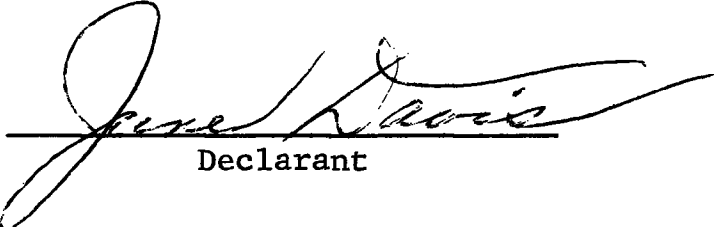
The proponents of the above-named measure are:

Cheriel Moench Jensen	Sally Yoakum
3379 Benton	3325 Benton
Santa Clara, California	Santa Clara, California

On the 16th day of January, 1970, I mailed a letter, a true copy of which is attached hereto, to the above named persons, in an envelope addressed to them at the addresses set out immediately below their names, sealed said envelope, and deposited the same in the United States mail at the City of Sacramento, County of Sacramento, State of California, with postage thereon fully prepaid, and there is regular communication between the said place of mailing and the place so addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 20, 1970, at Sacramento, California.


Declarant

RECORD OF INITIATIVE, REFERENDUM, RECALL PETITIONS
PROPOSED FOR DIRECT VOTE OF ELECTORS

TITLE: ABORTION, INITIATIVE

(Summary Attached)

PROPOSERS: Cheriell Moench Jensen, 3379 Benton, Santa Clara, California
Sally Yoakum, 3325 Benton, Santa Clara, California

OFFICIAL TITLE AND SUMMARY DATE 1-16-70 TOTAL NUMBER OF SIGNATURES REQUIRED 325,173

Counties	Original Petitions			Supplemental Petitions			Total Signatures
	Number Certified	Date Certified	Date Filed	Number Certified	Date Certified	Date Filed	
Alameda	9,733	5-6-70	5-7-70	7,282	6-23-70	6-25-70	
Alpine							
Amador	11	4-16-70	4-17-70	18	5-26-70	5-27-70	
Butte	169	4-24-70	4-27-70				
Calaveras							
Colusa							
Contra Costa	3,322	5-6-70	5-7-70	2,295 35	6-23-70 6-12-70	6-25-70 6-16-70	
Del Norte							
El Dorado	39	4-17-70	4-20-70				
Fresno	793	5-6-70	5-7-70				
Glenn							
Humboldt	330	5-4-70	5-6-70	240	6-16-70	6-18-70	
Imperial	20	4-16-70	4-20-70	17	6-5-70	6-8-70	
Inyo	40	4-17-70	4-20-70	25	5-28-70	6-1-70	
Kern	549	4-29-70	5-1-70	474	6-18-70	6-19-70	
Kings							
Lake							
Lassen	90	4-16-70	4-20-70				
Los Angeles	16,442	5-6-70	5-7-70	32,785	7-9-70	7-20-70	
Madera							
Marin	4,779	5-5-70	5-7-70				

TITLE: ABORTION, INITIATIVE

Counties	Original Petitions			Supplemental Petitions			Total Signatures
	Number Certified	Date Certified	Date Filed	Number Certified	Date Certified	Date Filed	
Mariposa	41	4-16-70	4-17-70	6	5-27-70	5-28-70	
Mendocino	41	4-23-70	4-24-70	58	6-4-70	6-5-70	
Merced	191	5-4-70	5-6-70	100	6-17-70	6-18-70	
Modoc							
Mono							
Monterey	317	5-5-70	5-6-70	560	6-23-70	6-24-70	
Napa	83	4-20-70	4-21-70				
Nevada							
Orange	2,036	5-6-70	5-6-70	1,250	6-19-70	6-22-70	
Placer	58	4-21-70	4-22-70				
Plumas							
Riverside	278	4-20-70	4-22-70	1,185	6-8-70	6-10-70	
Sacramento	2,969	5-6-70	5-6-70	3,232	6-22-70	6-22-70	
San Benito	none						
San Bernardino	324	5-6-70	5-8-70	679	6-18-70	6-22-70	
San Diego	3,964	5-6-70	5-7-70	5,641	6-24-70	6-25-70	
San Francisco	6,011	5-1-70	5-4-70	3,612	6-19-70	6-23-70	
San Joaquin	228	5-1-70	5-4-70	213	6-15-70	6-16-70	
San Luis Obispo	86	5-5-70	5-6-70	90	6-16-70	6-17-70	
San Mateo	3,502	5-6-70	5-7-70	4,410			
Santa Barbara	3,923	4-24-70	4-27-70	1,630	6-9-70	6-10-70	
Santa Clara	18,526	5-5-70	5-6-70	14,279	6-24-70	6-25-70	
Santa Cruz	642	4-23-70	4-27-70	561	6-11-70	6-15-70	
Shasta	164	4-20-70	4-21-70	463	6-9-70	6-10-70	
Sierra							
Siskiyou							

TITLE: ABORTION, INITIATIVE

Counties	Original Petitions			Supplemental Petitions			Total Signatures
	Number Certified	Date Certified	Date Filed	Number Certified	Date Certified	Date Filed	
Solano	167	4-17-70	4-20-70	96	5-29-70	6-3-70	
Sonoma	319	4-27-70					
Stanislaus	491	4-21-70	4-22-70	661	6-5-70	6-8-70	
Sutter	9	4-20-70	4-21-70				
Tehama							
Trinity							
Tulare	22	5-6-70	5-7-70	3	6-17-70	6-18-70	
Tuolumne	29	4-20-70	4-21-70	253	6-11-70	6-15-70	
Ventura	291	4-21-70	4-23-70	1,413	6-10-70	6-11-70	
Yolo	1,063	4-27-70	4-28-70	137	6-10-70	6-11-70	
Yuba							
Sub-Total signatures	82,092			83,703			

Total Original and Supplemental Signatures Certified 165,795

- Proposition Qualified For _____ Election Ballot on _____ (Date)
- Proposition Did Not Qualify

Letter mailed to each proponent 6-27-70 re: Statement of Receipts and Expenditures



OFFICE OF THE ATTORNEY GENERAL

Department of Justice

ROOM 500, WELLS FARGO BANK BUILDING
FIFTH STREET AND CAPITOL MALL, SACRAMENTO 95814

January 30, 1970

Cheriel Moench Jensen
3379 Benton
Santa Clara, California

Marjorie Bernard
P. O. Box 734
Sunnyvale, California

Sally Yoakum
3325 Benton
Santa Clara, California

Dear Ladies:

Abortion. Initiative. --
Petition form.

This will acknowledge receipt of your letter of January 25, 1970, in which you enclosed three copies of the Abortion Initiative Petition, and also call to your attention the telephone conversation Mr. Ed Benard of our Sacramento Office had with Marjorie Bernard of your committee relative to the Petition form.

Mr. Benard pointed out to Marjorie Bernard that the form of your Petition could well be held to be defective since it does not contain the proper Petition form directed to the Secretary of State of the State of California. In accordance with Mr. Benard's conversation, I am enclosing a copy of two recent initiative Petitions which have the proper form printed on them, and which I have outlined in red ink.

In order that you might properly protect yourself in case someone should attempt to legally attack the sufficiency of your Petition form, you should consider reprinting your Petition in the proper form or possibly rubber stamping the proper material onto the present Petitions you have already printed.

Cheriel Moench Jensen
Sally Yoakum
Marjorie Bernard

-2-

January 30, 1970

We would also like to call to your attention another possible defect relating to the Declaration of the Circulator. As you know, the Circulator must be a registered voter of the county in which he solicits signatures. Section 3513 of the Elections Code provides as follows:

"Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required. The affidavit of any person soliciting signatures hereunder shall be verified free of charge by any officer authorized to administer oaths."

The declaration under penalty of perjury that you have set forth on your form does not have any reference to the fact that during the time the declaror was soliciting signatures that he was a qualified and registered elector of the county or city and county in which the soliciting took place. There is also no reference to the fact that to the best of his knowledge and belief each signature is a genuine signature of the person whose name it purports to be. I have indicated in red ink on the other Petition forms where this language is used.

I would suggest that you contact legal counsel of your own choice to aid you in curing these and other possible defects which might be on your Petition.

Very truly yours,

THOMAS C. LYNCH
Attorney General

CHARLES A. BARRETT
Assistant Attorney General

CAB:JD
Encls.